

PREVAILED

Roll Call No. _____

FAILED

Ayes _____

WITHDRAWN

Noes _____

RULED OUT OF ORDER

HOUSE MOTION _____

MR. SPEAKER:

I move that Engrossed Senate Bill 372 be amended to read as follows:

- 1 Delete the title and insert the following:
- 2 A BILL FOR AN ACT to amend the Indiana Code concerning
- 3 insurance.
- 4 Page 1, between the enacting clause and line 1, begin a new
- 5 paragraph and insert:
- 6 "SECTION 1. IC 27-1-25.2 IS ADDED TO THE INDIANA CODE
- 7 AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE
- 8 UPON PASSAGE]:
- 9 **Chapter 25.2. Civil Actions for Delayed Health Care Claim**
- 10 **Reimbursement**
- 11 **Sec. 1. As used in this chapter, "administrator" has the meaning**
- 12 **set forth in IC 27-1-25-1.**
- 13 **Sec. 2. As used in this chapter, "covered individual" means an**
- 14 **individual who is entitled to coverage for health care services**
- 15 **under a policy issued or contract entered into by an insurer.**
- 16 **Sec. 3. As used in this chapter, "insurer" has the meaning set**
- 17 **forth in IC 27-1-25-1.**
- 18 **Sec. 4. Notwithstanding any other law, if a claim for**
- 19 **reimbursement for health care services provided to a covered**
- 20 **individual under a policy issued or a contract entered into by an**
- 21 **insurer:**
- 22 **(1) is not paid by the insurer or administrator before the**
- 23 **elapse of forty-five (45) days from the date on which the claim**
- 24 **is filed; and**

(2) involves an amount that does not exceed the jurisdictional limit in the:

(A) small claims court; or

(B) small claims docket or division of the court that maintains a small claims docket or division; in the county in which the covered individual resides; the covered individual may immediately bring a civil action against the insurer or administrator in the small claims court referred to in subdivision (2) without pursuing another course of action, including any grievance, appeal, or external review procedure described in this title or in the policy or contract.

Sec. 5. A policy or contract provision that conflicts with section 4 of this chapter is void.

SECTION 2. [EFFECTIVE UPON PASSAGE] IC 27-1-25.2, as added by this act, applies to a policy or contract issued or entered into by an insurer after the effective date of this act."

Page 2, after line 32, begin a new paragraph and insert:

"SECTION 4. An emergency is declared for this act."

Re-number all SECTIONS consecutively.

(Reference is to ESB 372 as printed April 3, 2007.)

Representative Herrell